

CITY UTILITIES COMMITTEE

MINUTES

OCTOBER 10, 2006

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, October 10, 2006 at 10:15 a.m.**, in Committee Room #2. The following members were present:

The Honorable Ceasar C. Mitchell, Chair
The Honorable Natalyn M. Archibong
The Honorable Clair Muller
The Honorable Carla Smith

The following members were absent:

The Honorable Ivory L. Young, Jr., Vice-Chair
The Honorable Howard Shook

Others present at the meeting were: Councilmember Felicia A. Moore, Renee Shepherd, Stephanie Grant and Megan Middleton, Law Department; Deputy Commissioners Shelia Pierce, George Barnes and Joseph Basista, Department of Watershed Management; Nursef Kedir, Department of Public Works; Cathy Martin and Bruce Bell, Office of Procurement; Greg Pridgeon and Joe Morris, Office of the Mayor; public and Council Staff.

Chairman Mitchell called the meeting to order at 10:15 a.m. after declaring a quorum present. He then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**

CONSENT

- C. ORDINANCES FOR FIRST READING**

06-O-2222 (1) An Ordinance by City Utilities Committee to amend the 2007 (2004 Water and Wastewater Bond Fund) Budget in the amount of \$55,147,613.14 to transfer funds from the Reserve for Appropriations (2J28 79001 T11001) for the Phase III Construction Funding for two (2) Sewer Separation Projects (Greenferry and McDaniel) and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

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ORDINANCES FOR FIRST READING (CONT'D)

- 06-O-2223 (2) An Ordinance by City Utilities Committee to amend the 2007 (2004 Water and Wastewater Bond Fund) Budget in the amount of \$10,908,516.80 to transfer funds from the Reserve for Appropriations (2J28 79001 T11001) for the Phase IV Construction Funding for West CSO Storage Tunnel and Pumping Station Project; and for other purposes. **(Councilmember Mitchell made a motion to file.)**

FILE

- 06-O-2228 (3) An Ordinance by City Utilities Committee amending the 2006 (Intergovernmental Grant Fund) Budget, adding funds to Anticipations and Appropriation in the amount of \$192,408.00, on behalf of the Department of Public Works, for the purpose of funding upgrades to traffic signal control equipment at twenty-six (26) intersections in the City of Atlanta; and for other purposes.

TO BE REFERRED TO TRANSPORTATION COMMITTEE

REGULAR

D. COMMUNICATION

- 06-C-2152 (1) A Communication by Councilmembers Jim Maddox, District 11; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large, appointing **Mr. Alex K. Wood** to serve as a member of the People TV Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
(Councilmember Smith made a motion to forward without recommendation to Committee on Council)

FORWARDED WITHOUT RECOMMENDATION TO
COMMITTEE ON COUNCIL

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E. ORDINANCE FOR SECOND READING

- 06-O-2248 (1) An Ordinance by Councilmember Ceasar C. Mitchell authorizing the Mayor or her designee to amend Ordinance Number 06-O-1623 by correcting the amount being transferred to the 1999 Water and Wastewater Bond Fund Reserve for Appropriations; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

F. RESOLUTIONS

- 06-R-2224 (1) A Resolution by City Utilities Committee authorizing the Mayor or designee to issue a **Notice-to-Proceed** with CH2M Hill, Inc.,/Williams-Russell and Johnson, a Joint Venture, for FC-7619-03C, Architectural and Engineering Services for Water Tank Structural Repair and Painting, on behalf of the Department of Watershed Management, in an amount not to exceed \$463,700.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J21 (Water & Wastewater Renewal & Extension Fund) 524001 (Consultant/Prof. Services) Q67J010294DA (General Imp. Pump Station/Storage Tanks).
(Councilmember Smith made a motion to approve.)

FAVORABLE

- 06-R-2225 (2) A Resolution by City Utilities Committee to correct Resolution 06-R-0163 adopted by City Council January 17, 2006 and approved by the Mayor January 24, 2006, to correct the amount associated with the Fund, Account and Center Number; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

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RESOLUTIONS (CONT'D)

- 06-R-2226 (3) A Resolution by City Utilities Committee authorizing the Mayor to enter into three (3) Intergovernmental Agreements with Fulton County, Georgia, to provide for Formal Service Agreements for Wholesale Wastewater Service provided by the City of Atlanta and by Fulton County, on behalf of the Department of Watershed Management; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

- 06-R-2227 (4) An **Amended** Resolution by City Utilities Committee authorizing the Mayor to enter into an Agreement with Atlantic Skanska, Inc., for FC-3006007955, R. M. Clayton Water Reclamation Center Digester Cover Replacement, on behalf of the Department of Watershed Management, in an amount not to exceed \$15,482,000.00; all contracted will be charged to and paid from Various Fund, Account and Center Numbers; and for other purposes.
(Councilmember Smith made a motion to approve as amended to correct the account number.)

FAVORABLE AS AMENDED

- 06-R-2229 (5) A Resolution by City Utilities Committee authorizing the Mayor to enter into an Intergovernmental Agreement with Fulton County, Georgia, to provide for a Formal Billing and Collection Agreement for retail wastewater services provided by Fulton County in those areas of the County where the City of Atlanta provides retail water services, on behalf of the Department of Watershed Management; and for other purposes.
(Councilmember Muller made a motion to approve.)

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RESOLUTIONS (CONT'D)

- 06-R-2249 (6) A Resolution by Councilmember Ceasar C. Mitchell **as substituted by City Utilities Committee** authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$8,500.00 as stipulated penalties for the violation of CSO Total Residual Chlorine Operational Standards at Clear Creek CSO on September 24, 2006 pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.
(Councilmember Muller made a motion to approve.)

FAVORABLE ON SUBSTITUTE

G. PAPERS HELD IN COMMITTEE

- 06-O-0306 (1) An Ordinance by City Utilities Committee amending the 2006 (1994 G. O. Bond Referendum Fund) Budget by transferring from and to appropriations in the amount of \$852,361.11 to fund the Paving Management and Improvement Program; and for other purposes. **(Held 2/14/06 at the request of Councilmember Muller.)**
- 06-O-0472 (2) An Ordinance by Councilmembers C. T. Martin and Ivory L. Young, Jr. to re-name Simpson Road from H. E. Holmes Drive to West Peachtree Street, to Coretta Scott King Drive; to waive various subsections of Section 138-8 of the Code of Ordinances; and for other purposes. **(Held 2/14/06 awaiting decision from Coretta Scott King Commission on the appropriate honor for Mrs. King.)**
- 06-R-0563 (3) A Resolution by Councilmember Joyce M. Sheperd authorizing the Mayor to enter into an Agreement with Brock Built, LLC providing for the non-standard location of water meters on private property to which the city provides water services; and for other purposes. **(Referred back by Council 3/6/06) (Held 3/14/06 at the request of the Department of Watershed Management so that developer can address the private property concerns.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-0937 (4) An Ordinance by Councilmember Clair Muller to amend Article VII of Chapter 74 entitled "**Riparian Buffer Requirements**"; to officially change the administrating Department to Watershed Management, to streamline the review process and clarify the Public Notice Requirements; and for other purposes. **(Held 4/25/06 for further review by the Department of Watershed Management.)**
- 06-O-1454 (5) An Ordinance by Councilmember Clair Muller **as amended by City Utilities Committee** to amend Chapter 130 Solid Waste Management, Section 130-84, Rates and Charges to limit such rate to apply to lots with a residence; and for the other purposes. **(Amended and held 6/27/06 at the request of the author.)**
- 06-O-1573 (6) An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or her designee to enter into an Agreement between Hilton Atlanta and the Atlanta Marriott Marquis and the City of Atlanta for the erection of a bridge in accordance with Section 138-25(b) of the City of Atlanta's Code of Ordinances; and for other purposes. **(Held 7/11/06 for further discussions.)**
- 06-O-1947 (7) An Ordinance by City Utilities Committee to amend Sections 138-25 and 138-26 of the Official Code of Ordinances of the City of Atlanta, Georgia, to authorize the Commissioner of Public Works to determine the monthly rental rates for the air space or subsurface space occupied by bridges, tunnels of similar structures across streets or alleys and balconies over sidewalks of the City of Atlanta; and for other purposes. **(Held 9/18/06 at the request of the Law Department.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-2048 (8) An Ordinance by Councilmember Ivory L. Young, Jr. authorizing the Mayor or her designee to amend the City of Atlanta's Code of Ordinances Section 138-5 Alleys, so as to define the ownership of the Alleys and maintenance thereof of the Alleys in the City of Atlanta, to immediately begin the defined statutory procedure for abandoning the City of Atlanta's interest in alley; to request Fulton County to amend the County's Tax Map and to properly adjust all property within Fulton County to properly access property value and taxes and that millage rate reduction would occur equal to the tax increase; and for other purposes.
(Held 9/18/06 at the request of Councilmember Young)
(Work session held 10/4/06)
- 06-O-2057 (9) An Ordinance by Councilmember Mary Norwood amending the City of Atlanta's Code of Ordinances by inserting language in the Solid Waste Section that will effectively deal with litter violators; and for other purposes.
(Held 9/18/06 at the request of the Law Department for review of the penalty section)

H. APPRAISAL

- (1) Appraisal of the **abandoned** portion of Larkin Place, SW consists of 5,254 per square feet the Appraiser has estimated fair market value to be \$65,000.00 which indicates \$12.25 per square feet.
(Councilmember Smith made a motion to accept the appraisal.)

I. REQUESTED ITEMS

1. Mr. Cary Duncan requested the Law Department through Councilmember Mitchell to provide the answer for, what is a Quit Claim Deed and how it is used as it relates to alleys.
2. Councilmember Moore requested the Department of Watershed Management to provide an electronic copy of the R. M. Clayton Digester Cover Repair/Replacement Letter to her office and Councilmember Muller office.

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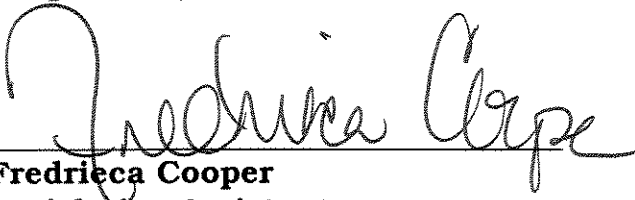
REQUESTED ITEMS (CONT'D)

3. Councilmember Young requested that the Department of Watershed Management deliver to his office a schedule of Infrastructure Projects and their estimated completion dates.
4. Councilmember Young requested the Department of Watershed Management to provide a chronology of the (Allied Property) Means Street flooding issues at the next City Utilities Committee meeting.
5. Councilmember Mitchell requested the Department of Watershed and the property owners get together and discuss what can be done in the near term to address their problem.
6. Councilmember Shook wanted to know from the Law Department, why claims were being denied.

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There being no further business to come before the Committee, the meeting was adjourned at 11:17 a. m.

Respectfully Submitted:



**Fredriecca Cooper
Legislative Assistant**



**Alfred Berry, Jr.
Research and Policy Analyst**



**The Honorable Ceasar C. Mitchell, Chair
City Utilities Committee**